

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

DEC X 4 2012

U. S. DISTRICT COURT
E. DIST. OF MO.
ST. LOUIS

IN THE MATTER OF:

Inspection of the workplace
located at and near

Case No. 4:12 mc 673 DDN

5244 S. Lindbergh Blvd.
St. Louis, Missouri

under the control or custody of

THE FLOOR TRADER

TO: William McDonald
Area Director
Occupational Safety and Health Administration
St. Louis Area Office

Application having been made, which establishes that the requested inspection is reasonable, based on a showing that The Floor Trader, located at 5244 S. Lindbergh Blvd., St. Louis, Missouri, was chosen for inspection on the basis of a general administrative plan, derived from neutral sources, for the enforcement of the Occupational Safety and Health Act of 1970, 29 U.S.C. §§ 651-678, hereinafter referred to as the Act,

IT IS HEREBY ORDERED that, pursuant to section 8(a) of the Occupational Safety and Health Act of 1970, 29 U.S.C. §§ 651-678, YOU OR YOUR DULY DESIGNATED REPRESENTATIVES ARE AUTHORIZED to enter the above-described worksite during

regular working hours or at other reasonable times, and to make an inspection and investigation of the retail flooring and carpeting operation under the custody and control of The Floor Trader, in order to determine compliance with the Act, and the rules and regulations promulgated pursuant thereto. The inspection will be limited to training of fork truck operators, improper storage of stock, and any other hazards in plain view.

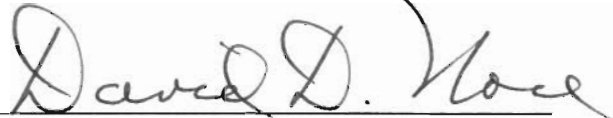
Said inspection to include all relevant records, files and papers and all relevant workplaces or environments where work is performed by employees, and all pertinent conditions, and circumstances, structures, machines, apparatus, devices, equipment, materials, processes, controls, and facilities and all other things therein including videotaping, the taking of photographs, environmental samples including the use of personal sampling equipment, and measurements, relating to the alleged violations, and to question privately any employee or agent, bearing on whether employees are being furnished employment and place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to employees, and whether there is compliance with the occupational safety and health standards promulgated under the Act.

You are hereby directed not to disclose any information obtained during the inspection which is designated to be a trade secret as defined by 18 U.S.C. § 1905, except that such information may be disclosed to other officers or employees concerned with carrying out the Act or when relevant in any proceeding under the Act.

A return shall be made to this Court showing that the inspection has been completed. The inspection authorized herein shall be initiated within 10 days, and a return shall be made to the Court within fourteen days following completion of the inspection.

DATED:

December 4, 2012

A handwritten signature in black ink, reading "David D. Noce". The signature is written in a cursive style with a large, looping "D" at the beginning and a long, sweeping underline.

David D. Noce
United States Magistrate Judge

RETURN OF SERVICE

I hereby certify that a copy of the within warrant was
duly served on the company named hereon on

RETURN

Inspection of the establishment described in this
warrant was made on _____.

Compliance Officer, Occupational
Safety and Health Administration
United States Department of Labor

Subscribed and sworn to before me this _____ day of

_____.

United States Magistrate Judge